

VZCZCXRO0650
PP RUEHCHI RUEHDT RUEHHM
DE RUEHBK #1626/01 0750941
ZNY CCCCC ZZH
P 160941Z MAR 06
FM AMEMBASSY BANGKOK
TO RUEHC/SECSTATE WASHDC PRIORITY 7219
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS
RUEHCHI/AMCONSUL CHIANG MAI 1499
RHEFDIA/DIA WASHDC
RHHMUNA/HQ USPACOM HONOLULU HI
RHHMUNA/CDR USPACOM HONOLULU HI
RHFJSCC/COMMARFORPAC

C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 001626

SIPDIS

SIPDIS

E.O. 12958: DECL: 03/16/2016

TAGS: [PGOV](#) [PREL](#) [TH](#)

SUBJECT: MORE CANDIDATES DISQUALIFIED FOR THAI SNAP ELECTION

REF: A. BANGKOK 01301

[1](#)B. BANGKOK 01475

BANGKOK 00001626 001.2 OF 002

Classified By: POLITICAL COUNSELOR SUSAN M. SUTTON. REASON 1.4 (B,D)

[1](#)1. (C) Summary. The April 2 snap election is in trouble. The Election Commission (EC) has disqualified more than one-third of registered candidates--almost all from the minor parties. More than half of the election districts in the country will have only one candidate running--almost always from Thaksin's Thai Rak Thai (TRT) party--increasing the likelihood that the election will not fill all 500 seats, which could block the formation of a new government. Citing these concerns, the head of the EC publicly speculated on Wednesday that the election may be delayed. A second EC commission told PolCouns on March 16 that only a royal decree can change the election date. He added that, in his opinion, the failure to fill all 500 parliamentary seats may not necessarily prevent a new government from forming, but the Constitutional Court may have to rule on this question. End Summary.

CANDIDATES DROPPING LIKE FLIES

[1](#)2. (SBU) Chairman of the Election Commission (EC) Vasana Puemlarp told reporters March 15 that the EC was considering postponing the snap election, based on registration problems.

According to Vasana, the EC has disqualified 320 of the 941 candidates who registered. Out of the 400 constituency seats up for grabs, 271 are now single candidate races, meaning that these candidates must receive 20 percent of eligible voters in their district to win. One constituency now has no candidates running--both the Thai Rak Thai and minor party candidate were disqualified by the EC. Vasana added that the EC was petitioning the Supreme Court to disqualify an additional 84 candidates, which could produce more single, or even no-candidate races. (Note. The Supreme Court has the final say on candidate eligibility and EC decisions. Candidates who have been disqualified have seven days to appeal their case to the Court. End Note.)

[1](#)3. (SBU) Vasana specifically cited these developments as reasons to consider delaying the snap election. "It would be a waste of state funds if the election goes ahead...and a government cannot be formed." As reported in refs, it will be difficult for TRT to meet the 20 percent threshold in opposition strongholds such as the South, leading many to speculate that some seats may not be filled, which could block the formation of a new government.

EC CLARIFIES ELECTION DELAY PROCESS...

14. (C) In a meeting with PolCouns and Poloff on March 16, Election Commissioner Charupat Ruangsuwan explained that only a royal decree could delay the election date. The EC cannot make this decision unilaterally. A new decree would (presumably) be written by Thaksin and his caretaker cabinet, and then forwarded to the palace for approval. The election would still have to occur by April 22, the last Saturday within the constitutionally mandated 60-day period. Charupat did not comment on the likelihood of this scenario, saying "I do whatever the law says...I am the referee."

...AND OFFERS NEW WRINKLE ON WORST-CASE SCENARIOS

15. (C) Charupat did offer a new perspective on the possibility that the election would fail to form a new government. When asked what would happen, should the election fail to fill all 500 seats, Charupat replied that the constitution does not clearly require all seats to be filled to form a new government (Note. An analysis that our own reading of the constitution--and the conventional wisdom here in Bangkok--doesn't agree with. End Note) He said that, in any case, this is not the decision of the Election Commission. They just certify the winners. He believes that, if fewer than 500 MPs are elected, the Constitutional Court would likely have to decide the issue.

16. (C) Charupat tried hard to avoid hypothetical questions about the looming problems with the technical aspects of the vote. He emphasized repeatedly that the EC just obeys the law. He welcomed the idea of election observers to monitor the vote.

BANGKOK 00001626 002.2 OF 002

COMMENT

17. (C) Who says that Thailand's independent institutions are dead? The EC, short on resources as always, appears to be doing a decent job. That said, this fine job is further casting doubt on the ability of the snap election to resolve the current crisis.
BOYCE